

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

Garry W. Randall,

**Plaintiff**

V.

Coast to Coast Financial Solutions, et. al.,

## Defendants

Case No.: 2:16-cv-01653-JAD-PAL

## **Order Granting Stipulated Dismissal of claims against Experian Information Solutions and Coast to Coast Financial Solutions, Inc., and Closing Case**

ECF NO. 24

10 On 2/13/17, plaintiff stipulated to dismiss all claims against the lone remaining answering  
11 defendant Experian Information Solutions, Inc. ECF No. 24. Based on that stipulation and good  
12 cause appearing, **I grant the stipulation [ECF No. 24] and dismiss all claims against Experian**  
13 **Information Solutions, Inc. with prejudice**, each side to bear its own fees and costs.

The dismissal of the claims against Experian leaves claims against defendant Coast to Coast Financial Solutions only. On 12/7/16, the court sent a Rule 4(m) notice to the plaintiff advising him that there has been no proof of service filed for Coast to Coast and that the claims against Coast to Coast would be dismissed without prejudice unless he filed a proof of service by 1/6/17.<sup>1</sup> That deadline has passed, and plaintiff has not filed proof that Coast to Coast has been served or requested an extension of that deadline.

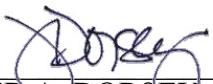
FRCP 4(m) requires service of the summons and complaint to be completed within 90 days of the complaint's filing, and “[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.”<sup>2</sup> Rule 4(c)(1) further makes it clear that “[t]he plaintiff is responsible for having the summons and

<sup>1</sup> ECF No. 16.

<sup>2</sup> Fed. R. Civ. Proc. 4(m).

1 complaint served within the time allowed under Rule 4(m).<sup>3</sup> Accordingly, **IT IS FURTHER**  
2 **ORDERED that all claims against Coast to Coast are DISMISSED** without prejudice under  
3 FRCP 4(m). The Clerk of Court is directed to **CLOSE THIS CASE**.

4 DATED: February 13, 2017

5   
6 JENNIFER A. DORSEY  
7 UNITED STATES DISTRICT JUDGE

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

---

28 <sup>3</sup> Fed. R. Civ. Proc. 4(c).